

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
CRIMINAL CASE NO. 2:14-cr-00016-MR**

UNITED STATES OF AMERICA,

Appellee,

VS.

WALTER HENRY STANCIL,

Appellant.

ORDER

THIS MATTER is before the Court on the Appellant's Notice of Appeal [Doc. 2] and the Appellant's Motion for Stay of Execution of Sentence Pending Appeal [Doc. 3].

On May 22, 2014, the Appellant Walter Henry Stancil was charged in a Bill of Information with removing property of the United States, in violation of 36 C.F.R. § 261.9(b). [Doc. 1]. On September 30, 2014, the Honorable Dennis L. Howell, United States Magistrate Judge, found the Appellant guilty of this petty offense and sentenced him to a term of imprisonment of 15 days. [Judgment in a Criminal Case, Doc. 1-1]. The Appellant, who was represented by counsel before the Magistrate Judge, filed a timely

Notice of Appeal from the Magistrate Judge's Judgment on October 10, 2014. [Doc. 2].

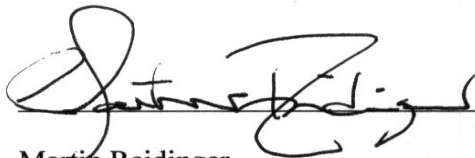
A timely notice of appeal having been filed, the Court therefore will enter a scheduling order for the briefs on appeal. The Court further will stay the Appellant's sentence of imprisonment pending the resolution of this appeal. See Fed. R. Crim. P. 38(b)(1); Fed. R. Crim. P. 58(g)(3).

IT IS, THEREFORE, ORDERED that the Appellant shall file his brief on appeal on or before thirty (30) days from the entry of this Order. The Appellee shall file its brief on or before thirty days (30) from the filing of the Appellant's brief.

IT IS FURTHER ORDERED that the Defendant's Motion for Stay [Doc. 3] is **GRANTED**, and the execution of the sentence of imprisonment is hereby stayed during the pendency of the appeal.

IT IS SO ORDERED.

Signed: October 14, 2014


Martin Reidinger
United States District Judge

